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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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11 ARTIS-RAY CASH JR.,

12 Plaintiff,

13 v.

14 EXPERIAN INFORMATION
15 SOLUTIONS, INC., and
16 MONTEREY FINANCIAL
SERVICES, LLC,

17 Defendants.
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Case No. 8:25-cv-00165-JWH-ADSx

**ORDER DENYING PLAINTIFF'S
MOTION FOR RELIEF FROM
JUDGMENT [ECF No. 31]**

1 Before the Court is the motion of Plaintiff Artis-Ray Cash, Jr. for relief
2 from the Judgment in this action.¹ The Court concludes that this matter is
3 appropriate for resolution without a hearing. *See* Fed. R. Civ. P. 78; L.R. 7-15.
4 After considering the papers filed in support and in opposition,² the Court
5 **DENIES** Cash’s Motion.

6 I. BACKGROUND

7 Cash commenced this action against Defendants Experian Information
8 Solutions, Inc. and Monterey Financial Services, LLC in January 2025.³ Cash
9 asserts two claims for relief against Defendants: (1) violations of the Fair Credit
10 Reporting Act, 15 U.S.C. §§ 1681 *et seq.* (“FCRA”); and (2) violations of the
11 Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.*⁴

12 Cash, who appears *pro se*, also filed an application to proceed *in forma*
13 *pauperis*, as well as a sworn statement regarding his available income.⁵ Based
14 upon the information that Cash provided, the Court granted his IFP
15 Application.⁶ In April 2025, Monterey moved to dismiss Cash’s claims because
16 Cash failed to disclose settlement income that Cash—who is a serial litigant—
17 earned through prior FCRA cases.⁷ Cash did not dispute that he earned income
18

19 ¹ See Pl.’s Mot. for Relief from J. (the “Motion”) [ECF No. 31].

20 ² The Court considered the documents of record in this action, including
21 the following papers: (1) Motion; (2) Decl. of Artis-Ray Cash Jr. in Supp. of the
22 Motion [ECF No. 32]; (3) Def.’s Memo. in Opp’n to the Motion [ECF No. 33];
23 and (4) Pl.’s Reply in Supp. of the Motion [ECF No. 35].

24 ³ See Complaint [ECF No. 1].

25 ⁴ See generally *id.*

26 ⁵ See Pl.’s Request to Proceed *in Forma Pauperis* (the “IFP Application”) [ECF No. 2].

27 ⁶ See Order on the IFP Application [ECF No. 7].

28 ⁷ See Defs.’ Mot. to Dismiss (the “Motion to Dismiss”) [ECF No. 22].

1 through prior settlements nor that he omitted that information from his IFP
2 Application.⁸ Cash also did not dispute that he has omitted that information
3 from other applications that he has filed in this judicial district.⁹ Accordingly, in
4 May 2025, the Court dismissed this action without leave to amend pursuant to
5 28 U.S.C. § 1912(e)(2)(A), which requires a court to dismiss a case in which a
6 request to proceed *in forma pauperis* was granted “if the court determines that
7 . . . the allegation of poverty is untrue.”¹⁰

8 Later that month, Cash filed the instant Motion.¹¹

9 II. LEGAL STANDARD

10 A district court may reconsider a ruling under Rule 54(b) of the Federal
11 Rules of Civil Procedure (interlocutory orders), Rule 59(e) (motion to alter or
12 amend a judgment), or Rule 60(b) (relief from judgment). *See School Dist.*
13 *No. 1J, Multnomah County, Oregon v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir.
14 1993); *Balla v. Idaho State Bd. of Corrections*, 869 F.3d 461, 465 (9th Cir. 1989).
15 Under Rule 59(e), reconsideration may be appropriate when the movant
16 demonstrates the existence of: (1) an intervening change in the controlling law;
17 (2) new evidence not previously available; or (3) a need to correct a clear error of
18 law or to prevent manifest injustice. *See School Dist. No. 1J*, 5 F.3d at 1263.
19 Meanwhile, Rule 60(b) provides for reconsideration only upon a showing of:
20 (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered
21 evidence which by due diligence could not have been discovered before the
22 court’s decision; (3) fraud by the adverse party; (4) a void judgment;

24 ⁸ See Pl.’s Opp’n to Motion to Dismiss [ECF No. 24].

25 ⁹ See *id.*; see also Decl. of Berj K. Paseghian in Supp. of the Motion [ECF
26 No. 23] (listing cases).

27 ¹⁰ See Order Granting Def.’s Mot. to Dismiss (the “Order”) [ECF No. 29].

28 ¹¹ See Motion.

(5) satisfaction of judgment; or (6) any other reason justifying relief. *See* Fed. R. Civ. P. 60(b); *School Dist. No. 1J*, 5 F.3d at 1263. Rule 60(b)(6) requires a showing that the grounds justifying relief are extraordinary; mere dissatisfaction with the court's order or belief that the court is wrong in its prior decision are not adequate grounds for relief. *See Twentieth Century-Fox Film Corp. v. Dunnahoo*, 637 F.2d 1338, 1341 (9th Cir. 1981).

In addition, this Court's Local Rules define the situations in which a party may seek the reconsideration of an order:

A motion for reconsideration of an Order on any motion or application may be made only on the grounds of (a) a material difference in fact or law from that presented to the Court that, in the exercise of reasonable diligence, could not have been known to the party moving for reconsideration at the time the Order was entered, or (b) the emergence of new material facts or a change of law occurring after the Order was entered, or (c) a manifest showing of a failure to consider material facts presented to the Court before the Order was entered.

L.R. 7-18. A motion for reconsideration "may not be used to raise arguments or present evidence for the first time when they could reasonably have been raised earlier in the litigation." *Kona Enterprises, Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000).

III. ANALYSIS

Cash argues that the Court should grant him relief from the Judgment in this case because he did not intentionally omit information from his IFP Application.¹² Specifically, Cash contends that he filters the settlement income he receives as result of filing FCRA actions through his business, Artis Ray Cash

¹² *See generally id.*

1 Jr LLC, and Cash did not know that he was required to disclose business
2 income.¹³

3 The Court is unpersuaded. The IFP Application lists “[b]usiness,
4 profession or form of unemployment” as a type of income that must be
5 disclosed.¹⁴ Cash checked a box to indicate that he did not receive such
6 income—and he now admits that his representation was untrue.¹⁵ Moreover,
7 the Court remains concerned that Cash has omitted information regarding his
8 income in other cases that he has filed in this judicial district. *See, e.g., Cash v.*
9 *Caesars Entertainment, Inc.*, Case No. 2:23-cv-10570-JFW-PVC (C.D. Cal.)
10 [ECF No. 10] (admitting, after being ordered to provide additional information,
11 that he failed to disclose information regarding unemployment income).
12 Additionally, in some of those cases, Cash has provided information regarding
13 his income that is inconsistent with the information that Cash provided on his
14 IFP Application in this case. *See, e.g., Cash v. Credit Control, LLC*, Case
15 No. 2:24-cv-08447-AH-E (C.D. Cal.) [ECF No. 3] (listing Cash’s last-filed tax
16 return as having been filed in 2024 and wages per month of \$2,150). And, in any
17 event, Cash does not dispute that he failed to disclose information regarding his
18 income from settlements and that, as such, this action may not proceed. *See* 28
19 U.S.C. § 1912(e)(2)(A).

20 Accordingly, Cash’s Motion is **DENIED**.

21 IV. DISPOSITION

22 For the foregoing reasons, the Court hereby **ORDERS** as follows:

- 23 1. Cash’s instant Motion [ECF No. 31] is **DENIED**.
- 24 2. The hearing on Cash’s Motion [ECF No. 37] is **VACATED**.

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26 ¹³ *See id.*

27 ¹⁴ *See* IFP Application.

28 ¹⁵ *See id.*

1 3. Cash's request to appear remotely [ECF No. 38] is **DENIED** as
2 **moot.**

3 **IT IS SO ORDERED.**

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5 Dated: July 7, 2025



John W. Holcomb
UNITED STATES DISTRICT JUDGE